

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

*In re* application of:

DEUTSCH *et al.*

Serial No.: 10/564,802

Filing Date: April 2, 2007

I.A. No.: PCT/AU2004/000948

I.A. Filing Date: July 14, 2004

For: *Sports Training and Testing Methods,  
Apparatus and System*

Examiner: To Be Assigned

Art Unit: 3711

Conf. No.: 3413

CERTIFICATE OF ELECTRONIC TRANSMISSION  
UNDER 37 C.F.R. 1.8

I hereby certify that this correspondence, including listed enclosures, is being electronically transmitted to the United States Patent and Trademark Office in accordance with 37 C.F.R. 1.6(a)(4) on:

Dated: August 9, 2007

Signed:

  
Victoria Poulsen

**INFORMATION DISCLOSURE STATEMENT**

Box AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In satisfaction of the duty of disclosure under 37 C.F.R. § 1.56, and in accordance with the provisions of 37 C.F.R. §§ 1.97 and 1.98, Applicants wish to draw the attention of the U.S. Patent and Trademark Office to the references cited on the accompanying form PTO/SB/8A. In accordance with 1287 Off. Gaz. Pat. Office 163, 10/19/2004, no copies of U.S. patents and U.S. published applications are enclosed. Copies of foreign patents and non-patent literature are enclosed.

Further, in accordance with the provisions of 37 C.F.R. §§ 1.97(c) and 1.97(e)(1), the undersigned certifies that the references listed on the enclosed substitute for form PTO-1449 marked with the symbol (†) were first cited in an International Search Report dated August 26, 2004, for counterpart PCT application PCT/AU2004/000948. A copy of the International Search Report for the counterpart PCT application is enclosed herewith.

As far as is known to the undersigned, this Information Disclosure Statement is being filed within three months of the filing date of a national application, within three months of the date of entry of the national state in an international application, or before the mailing date of a first Office Action on the merits as set forth in 37 C.F.R. § 1.97(b), and therefore no fee is required.

Nothing herein shall constitute an admission concerning the contents of any of the cited references, nor shall the inclusion of a reference herein be considered an admission that the reference

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constitutes prior art against the invention claimed in the above-identified application. Submission of the present document shall not be construed as an admission that a search has been made or that better art does not exist.

While no fees are believed due, the Commissioner is authorized to charge any required fees, or credit any overpayment to Morgan, Lewis & Bockius LLP Deposit Account No. 50-0310 (File No.: 67782-5001US).

Please direct any calls in connection with this application to the undersigned at (415) 442-1000.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

Dated: August 9, 2007

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1-SF/7586684.1

Substitute for form 1449A/PTO (Modified)  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)			<b>Complete if Known</b>		
			Application Number	10564802	
			Filing Date	April 2, 2007	
			First Named Inventor	Makus Deutsch	
			Art Unit	3711 Conf No. 3413	
			Examiner Name	TBA	
Sheet	1	of	1	Attorney Docket Number	Docket 067782-5001-US

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number Number-Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	A1 †	US-5882204	03-16-1999	Iannazo et al.	
	A2	US-6013007	01-11-2000	Rood	
	A3	US-6072751	06-06-2000	Kirson	
	A4 †	US-6251048	06-26-2001	Kaufman	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document Country Code <sup>2</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
	B1 †	Derwent Abstract Accession No. 2003- 378811/36 for RU 2201783 C2	04-10-2003	Zhdanov		
	B2 †	EP 0213533 A2	03-11-0987	Innovative Training Products, Inc.		
	B3 †	EP 0562196 A1	09-29-1993	Innovative Training Products, Inc.		
	B4 †	WO 1988/005323 A1	07-28-1988	Philipp		
	B5 †	WO 1992/021106 A1	11-26-1992	Dawson Ronald Gerry		
	B6 †	WO 1995/008816 A1	03-30-1995	Daver		
	B7 †	WO 2001/064099 A1	09-07-2001	Technogym S.R.L.		
	B8 †	WO 2002/041954 A1	05-30-2002	Euba Zuniga et al.		
	B9 †	WO 2003/033082 A1	04-24-2003	Birchill Limited		

NON PATENT LITERATURE DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.			T <sup>6</sup>
	C1				

1-SF/7586612.1

Examiner Signature	Date Considered
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\*EXAMINER: † These references were previously cited in a related application relied upon for an earlier filing date under 35 USC 120 and no copies are submitted in accordance with 37 CFR 1.98(d). Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English Language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the complete application form to the USPTO. Time will vary depending on the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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